

Opinion

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Transfer of High Court Judges

A. G. Noorani

There is room for challenging a transfer of a high court judge....by any public organization.

THE Orissa High Court Bar Association has acquitted itself most creditably by adopting a resolution on July 15, 1983 which categorically declared that "any attempt to bring a Chief Justice from outside the State will not only be strongly opposed by the members of the legal profession, they will have no choice but to abstain from attending the Court." A convention of representatives of the district and sub-divisional bars will be held to organise a state-wide campaign in order to nullify the "Centre's attempt."

Only the organized power of the Bar can save the judiciary from the Government of India's attempts to cripple its independence. Attempts are also afoot, indeed, to pack the judiciary with supporters of the ruling party; most notably in the Delhi High Court.

It may be recalled that on January 18, 1983, the Union Law Minister, Mr. Jagannath Kaushal, had reiterated the Government's

policy while speaking at the Parliamentary Consultative Committee attached to his ministry. The chief justices of the high courts and one-third of the judges of high courts would be appointed from outside the state in consultation with the Chief Justice of India. The Government, he added, hoped to make a beginning in this direction very soon. The only assurance he could give was that the Government would observe the "utmost circumspection" in regard to transfers and they would not be made arbitrarily.

It is seven months since the threat was delivered and, judging by the press reports, the plans have proceeded quite far. The Bar should make its voice heard now and so should public opinion at large.

To begin with, despite the unsatisfactory ruling of the Supreme Court delivered on December 30, 1981, there is room for challenging a transfer of a high court judge not only by the judge himself but also by any public organization including,

of course, members of the Bar. The Court ruled that the consent of the judge concerned was not necessary. Mr. Justice P. N. Bhagwati alone held that such consent was imperative.

But he held that, assuming the consent was not necessary, certain other pre-requisites must be fulfilled. On these pre-requisites to a valid transfer the Court was almost unanimous. These pre-requisites can serve as the basis on which to challenge transfers.

Article 222(1) of the Constitution says that the "President may after consultation with the Chief Justice of India transfer a Judge from one High Court to any other High Court." Two basic pre-requisites to a valid exercise of this power are laid down by the Supreme Court.

First, the power to transfer a judge can be exercised only in the "public interest" and not by way of punishment at all. "Punishment" is liberally construed. Even a transfer of a judge who does not "get along" with other judges is construed as "punishment".

Secondly, the process of "consultation" envisaged by Article 222(1) requires that the Government must make available to the Chief Justice of India relevant data in regard to the judge proposed to be transferred and the Chief Justice, in turn, must elicit and ascertain all relevant material relating to the judge either directly from him or from other reliable sources and place them before the Government. Each side, the Chief Justice and the Government, must make its views known to the other on an agreed set of facts and there must be discussion of the respective views. It is only after such a full consultation

has taken place that the President (i.e. the Government of India) can take the final decision to transfer.

The judge who is to be transferred *must* be consulted and the facts regarding the effect of a transfer on his personal situation must be ascertained fully.

Even if transfers are made in pursuance of a general policy, the Chief Justice must consider in each case whether that particular transfer is in the public interest. Mass transfers are not contemplated by Article 222.

Finally, the Court affirmed that the exercise of the power to transfer is open to judicial review. A mala fide order, for instance, would be bad, like any administrative order.

The Court's jurisdiction can be invoked not only by the judge concerned but by any public organization or by members of the Bar. Indeed, the Supreme Court's judgements, especially Mr. Justice Bhagwati's judgement, in the judge's case are a locus classicus on the principles of public interest litigation. The Court's doors were thrown wide open to such litigation.

Likewise, on the disclosure of official documents. Mr. Justice Bhagwati's judgement on this aspect, which was widely accepted, rejected the Government's claim of privilege against disclosure of the correspondence exchanged between the Central Government, the State Government, the Chief Justice of India and the Chief Justice of the High Court regarding extension of the term of an Additional High Court Judge. A *fortiori*, such a claim must be rejected in regard to a transfer.

Finally, "when a transfer of a Judge of a High Court is challenged

in a court of law, the burden must lie upon the Government to sustain the validity of the transfer." It will have to reveal to the Court the facts and also the reasons which prompted it to make the transfer.

It is a heavy burden and discharging it will be an onerous and embarrassing task. The Government must be exposed to this test in every case.

The Bar should make it known in every State that it will impugn the transfers. The judges should not flinch from challenging transfers, either. Every safeguard in the Supreme Court's ruling should be availed of and a concerted strategy should be adopted to challenge the transfers in courts. This should be in addition to campaigns in the press and on public platforms.

Comment

A. D. Gorwala

All the partisanship over victory in sport as adding something of value to the prestige of the country which the winning side is supposed to represent, is absurd.

Not Cricket

Are there any real sportsmen among the top players of games nowadays? If there are any they can only be very, very few. A sportsman plays a game because he likes playing the game. His sole motive is playing the game and in that he finds his full reward. He takes victory or defeat as ordinary happenings, not something which he must devote his whole soul to achieving or avoiding. He is equable in good and ill. So long as he has played the "game" in both senses he is satisfied.

What has happened nowadays all over the world is that sport has become a business or profession. It has become a way of making money. You have some aptitude for a game, you train yourself to be really good at it, and then you use it to make money. Instead of being a particularly good tennis player or cricketer you might just as well be

a barrister, a doctor, an accountant or a businessman. In sport between 17 and 36 a man is at his best. So these 18 years you devote to as much success as you can achieve and make as much money as possible. The prizes have become most attractive, hundreds of thousands of dollars for the top tennis players or even cricketers. Not that the players are to be blamed for this. Large crowds collect to see the games and they pay, so that if the players get their share it is, I suppose, only right.

But then all this aura of the old sportsmanship that is around them seems out of place. The modern good player is more like the Roman gladiator who fought for money and who received his bowlful of gold coins if he won or even some if he lost, provided the emperor didn't put his thumb down and have him executed for losing. If this is the reality of it then they are practising

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their profession like any other professional person and you do not become enthusiastic about a successful barrister or doctor and regard him as a representative of your country. So too the cricketer, golfer, tennis player, swimmer etc.—they too are in it for what they can make out of it. They render services which consist of supplying entertainment to crowds of spectators, most of whom do not appreciate or understand the finer points of the game but gather as at a social function and cheer even a bad stroke “of the wood” as in tennis or a “miss hit” in cricket if it adds to the score.

Again, the gladiator does not really represent his country, he is an individual and should be regarded as such. Consequently all the partisanship over victory in sport as adding something of value to the prestige of the country, which the winning side is supposed to represent, is absurd. If the Indian side wins a test series nothing of lasting benefit accrues to India. What is forgotten quite often is that under all this ostentation and show, cricket or tennis or golf remains a game. In a game the element of charm is often the deciding factor. That you may be fortunate at one time does not mean that you are necessarily superior generally.

Briefly, a game becomes a game in which professionals are the instruments. Instead of being regarded as merely a past-time it becomes a matter almost of life and death. This is particularly deplorable because it is entirely against the real spirit of sportsmanship. The true sportsman does not worry overmuch over victory or defeat. So long as he plays the game fairly

and to the best of his ability the result does not affect him one way or the other. This ought to be the attitude not only of those playing the game but of those watching it. Alas, how far are we, the whole world over, from recognising that equability in good and ill is the model we all ought to strive for.

Poland's Regressive Measures

Those who regard the raising of martial law in Poland as a definite step towards democratization are very mistaken. Apart from not releasing quite a large number of those jailed in the early Solidarity days, the Government has taken advantage of the raising of martial law to change the constitution, leaving out the democratic values that were there in the old constitution and putting in provisions which make it more responsive to the maintenance of Communist power and policy. Thus, while the former constitution allowed the freedom of assembly, the new one omits this clause completely and introduces various regressive measures such as the holding in police custody, for several days, of a person before bringing him before a magistrate.

It also gives much greater authority to the police and the armed forces for action in conditions which they consider an emergency—without an emergency actually being declared. On the whole then, the Poles have gained very little by the lifting of martial law. They remain what they were—the subjects of an authoritarian dictatorial state with a command economy. The cosmetic changes made may perhaps persuade Western bankers and governments to make fresh loans to Poland and

thus strengthen the existing government. But this will be because bankers especially are by nature persuaded to believe that the worst is over when dealing with Communist countries. Many years ago the former British Prime Minister Douglas Hume said, "Let us make the Communists rich and then they will become easy to live with." He had his try and there have been many attempts since then to do the same thing. But the Communist regimes remained the same hard, undented entities that they were.

No peace in Lebanon

Lebanon is in a much worse state than when the Israelis invaded it. The Israelis invaded it in order to make themselves safe and to reduce the power of Syria. They are in no way safer than they were and the Syrians have become much more powerful. There is no peace in Lebanon. The two wings of the P.L.O.—Arafat's and his opponents' are conducting a war amongst themselves. The Druses and the Maronite Christians are having battles on their own. The Syrians are entirely opposed to the Israel-Lebanon agreement and they have recently been joined by the Druses—under the leadership of Walid Jumblatt. He has formed a National Movement for the freedom of Lebanon, saying that the Lebanon-Israel agreement is bound to lead to the partition of Lebanon. He has joined the Syrians on the one side and two or three of the principal feudal chiefs of the north—men who at one time or another have been residents and prime ministers of Lebanon.

As is always the case with a made-up country, Lebanon suffers from a

lack of unity among its people—the Maronite Christians, the Druses, the Syrian Christians, Muslims—Shia and Sunni—all want their place in the sun and each is afraid that the other will have more than his fair share of it. What then should be done? Mr Philip Habib has taken perhaps the right way out. He has resigned his appointment as American envoy in Lebanon.

All this would not matter so much if the present Lebanese situation did not seem to be inevitably leading to a confrontation between the superpowers. Syria and the dissidents of the P.L.O. movement together with Jumblatt's new movement on the one side supported by the Soviet Union, and the Israelis with their protector and provider, the Americans, on the other. Were both the superpowers wise, there would be little difficulty in holding the situation. As it is there is even the possibility of the beginning of a world war in it. The hot-line between the White House and the Kremlin should be in continuous use if this crisis is to be averted.

The Commentator

Blessed is the lot of the commentator. If he can read the newspaper so much the better, though there is some disadvantage in it for the views expressed by most newspapers in their editorial and news columns (news is no longer considered sacred and is often slanted) are generally not particularly profound. If he cannot read the newspapers and has to rely entirely on the radio (mostly the BBC) and on scraps which he picks up from conversations with visitors and friends, the more scope for his inventive abilities.

It is however, leaving aside this levity, a position of responsibility. He must not let his own predilections and prejudices govern his writing but must serve the truth in the best of his ability. That, after all, is the journalist's true business more especially when he does not have the constraints that the ordinary reporter or editor has. Should one comment on whether or not there ought to be President's Rule in Punjab without knowing all the facts? Obviously one cannot know them all, but one can try and know at least as many as possible and apply one's judgement and the results of one's experiences in the past to them. Generally in situations where the maintenance of law and order has become impossible with the elected government, the case for President's Rule would be strong. But if the elected government is a creature of the Central Government and the governor chosen is also, instead of being an independent

person, a creature of the Central Government, there is not much advantage in making the change.

When last year *Opinion* recommended that in states where law and order had broken down, such as U.P. and Bihar, President's Rule should be imposed, *Opinion* also recommended that the governors of these states should be retired Lieutenant Generals still completely fit physically and mentally, because there were no longer civil servants of the calibre necessary for dealing with the law and order in these states and that politicians were mixed up with one side or the other.

So the commentator has to be independent, honest, disinterested, experienced in public affairs and with good judgement. The world then is his oyster and he can at least tell kings, presidents, prime ministers and all earthly powers and principalities how to behave even if he cannot make them do what he advises.

China : Sweet and Sour

Gauri Deshpande

The most prosperous-looking seemed like junior clerks in a government office.

HEY, I am here! In the Peoples' Republic of China, no less! Can you believe it? Don't worry, I can hardly believe it myself, but it's true. And my very first thoughts were a sort of bewilderment—have I, through some time warp, been transported to Roorkee? I mean the modern part of Beijing is so much like a small Northern Indian town that it is not funny. Same

sort of flat landscape, big, broad, tree-lined streets, continuous new building going on, drab blocks of flats interspersed with clusters of brick-and-grey-roof, hutment-like bustees...

In spite of being the capital city it has all the flavour of a provincial town. People are not blase. They stared at me as openly and curiously as I did at them. It was a great

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relief after the total imperviousness of Japan. Even the clothes of the people reminded me of the villages at home. Of course, now they have been liberated from the ubiquitous o.g. and navy, but they are still the dominant colours, and, because it is summer, the general uniform is grey pants and a white bushcoat; but a lot of women are taking to wearing skirts and dresses and the choice of colour, with a vengeance has veered to the brightest—shocking pink, red, acid green, murderous mauve.

The temperatures and the humidity were distinctly reminiscent of Delhi in the summer and there was even a good old dust storm to add to the illusion. There were vegetable markets with mountains of cabbages, cucumbers, aubergines, green onions, beans and tomatoes. In fact a lot of cabbage seemed just to be lying there rotting. The prosperity, however, is seasonal; because I am told that all the vegetables disappear in the winter and people live on pickled radishes and rice. Most everybody looked poor by Western standards, but not starving, and everyone was adequately clothed and fed and healthy. Almost everyone was curious about the foreigners but there was no feeling of hostility in spite of our quite obvious prosperity as compared to them. I never felt threatened by the press of people who were clambering up the Great Wall with me and grouping themselves patiently around Grandma (how she made it up there is a mystery to me) to take one another's pictures with an ancient camera. Certainly, there were no beggars but equally certainly, there were no richards, not even what you might call middle-class people. The most

prosperous-looking seemed like junior clerks in a government office.

Nobody seemed to be working with the achievement-oriented zeal to be found even in a ditch-digger in Japan, but everybody *was* working at something, and another refreshing thing was, women were to be found in every conceivable job—first thing I saw on getting off the plane from Tokyo was a woman fire-truck driver and then a woman immigration official and then a woman customs officer. Except for the policemen directing traffic, I didn't see any and the ones directing traffic did not wear any sort of weapon except a whistle, and since most of the traffic consisted of bicycles, pedestrians and trucks, most people were rather doing their own thing and the policeman was not bothering much except to keep things moving. Since China is the most populous nation in the world, I had expected to be swamped by people, but there seemed to be much fewer of them around than in downtown Yokohama, and those few were explained to me as those whose offices or factories or places of work had that particular day of the week off (there are staggered holidays).

There were small general stores, rather like our bania shops, which carried all the small essentials—soap, toothpaste, a few clothes, stationery, hardware (we bought a lock in one of them and learnt a Chinese word); and there are larger market-type shops that have items like fans, radios, curtain-cloth, sewing machines, plywood, mats, furniture. Most of the consumer goods would seem poor and shoddy to us but the Chinese seemed happy enough with them and all the shops were busy with customers. Of

course all business came to a standstill while we were buying our lock and most everyone was amazed to see us buying it, for foreigners are supposed only to go to the 'Friendship Store' where foreign goods are available and buy silk and furs and lacquer and jade and T-shirts saying 'I climbed the Great Wall' (my little daughter bought one).

All 'Chinese' jokes aside, there is a total absence of cats or dogs, even sparrows and crows and pigeons. This, I suppose, helps keep things reasonably clean. Though the 'western' foreigners complain about the standards of cleanliness, I find myself perfectly happy with 'reasonable' cleanliness and am not moved to clean my soup plate either insultingly or surreptitiously before eating out of it. The medium-price hotel that we were living in was OK, but could have done with a bit of spit and polish and maintenance, and though the service was adequate, it would have left the devotees of efficiency, spanking-cleanliness and obsequiousness quite unhappy.

I am going to write about the 'sights' of Beijing in another article, because I thought you would like to hear about my first impressions first, and because those sights are absolutely mind-blowing and also because they seem to have so little to do with the modern China as I see it around me every day. Of course, the place I am in now, Dalian, would have to wait for yet another article, though I must mention with awe, that here, at the age of forty I finally met my match in Chief Jang. It happened this way. While in Beijing, we got soaked at the Temple of Heaven, where one

was supposed to go to pray for rain, and where our prayers seemed to have been particularly efficacious. That soaking, combined with the tiredness after three days of continuous trekking in and around Beijing led to my coming down with a cold. (which a dip in a 17-degree sea here at Dalian did nothing to improve).

My miserable condition had a powerful effect on the handsome, iron-grey haired chief of the shipyard when he saw me at the airport and caused him further worry when it was not in the least improved the next day when he took us to see the acrobats from Heilong Province who were visiting Dalian. He became further perturbed when he found that S could not be bothered and displayed none of the symptoms of the worried and devoted husband. S tried to tell him that I am a very independent lady and would be quite annoyed if anyone made a fuss over so small a thing as a common cold. But Chief Jang was horrified at such callousness and charging poor S (this is S's account) with heartlessness and claiming to have spent a sleepless night on my account (I was infinitely touched, for he must be the only human being in my life to have done this) took matters in his own hands. He sent a car for me, forcibly bundled me into it, took me to a sweet little lady doctor, who (with the help of one English-speaking and one Japanese-speaking interpreter) examined me and gave me some very nasty-tasting Chinese medicine which, wonder of wonders, cured my cold in 24 hours. Of course I immediately sent a message to Chief Jang so as to ensure his peaceful sleep, but I must admit to you a

bit shamefacedly that it was nice to be treated as the little helpless woman by a powerful man, albeit through interpreters. I know S is never going to forgive me for giving in to Chief Jang!

Dying in Vein

Fr. Joe Pereira, Russell Pinto and Pearl Padamsee

Every street corner in the city is a source of both soft and hard drugs.

IN August 1982, the Sheriff of Bombay said there were 30,000 known cases of hard drugs in the city, not to mention Mandrax, hashish, and other lighter, more frivolous habits. In February 1983 figures have risen to 50,000. How are these thousands supplied? Obviously from the factories in Uttar Pradesh (Ghazipur in eastern U.P. being one of the few well-known centres for its manufacture). Not to forget the well-oiled narcotic distribution all over India, infiltrating even to the villages on our borders, where thousands of strapping young men are reduced to dazed vegetables, incapable of a hard day's work. Constantly we hear about the apathy of parents, the closet secrecy and the smug, head in the ground attitudes of those who feel relieved that it is not their child who has been caught in this anti-social web.

Therefore, we appeal to the adult world, not in a moral sense alone, but in the spirit of the community well-being to tackle this problem in a practical, frank and open manner in order to help both the addict and the family. In our estimation, nearly

every street corner in the city is a source of both soft and hard drugs. Its sale is open and flourishing. The latest 'high' is appealingly termed 'Brown Sugar'. It guarantees a slow death. Charas too, once considered harmless has risen to new levels of adulteration. Every day we are confronted with cases of Charas dementia. The high profit margins encourage home delivery. Even transport is provided. It has also become fashionable to serve it in High Society. It is a small-scale industry.

Let the public be aware that it lies in their hands alone to agitate and strive against this social disease. It is naive to expect those families struck by drug addiction to be concerned about social sanctions. Their time and energy are being utilised to cope with chaos in their personal lives. What are all the 'Committees' of thousands of schools, colleges, housing societies, artistic and political groups doing at their meetings? We appeal to them to take action and seek the cooperation of the law. We know that the law is often sluggish and apathetic but it is upto the people to motivate that law, and to demand its support.

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The Victim's Point of View

Christa Damkowski

Many rape victims suffer from permanent fears and depression.

SPECIALISTS dealing with criminals and crime widely agree that rape victims contribute to the crime in some way.

A 1976 study by Hartmann/Rindfleisch says rape is always provoked by the victim—consciously or unconsciously.

They wrote that the mere sight of a female, something about her manner of movement, dress or figure, can trigger the crime. But the victim is unaware of what is happening.

An American criminologist, Amir, wrote in 1976: "In a way, the victim is always the cause of the crime."

And in 1975 a German study maintained that there was no such thing as rape and that "women in retrospect describe a neutral situation as rape."

Crime psychologist Hischer in 1970 called for a change of attitude in favour of the raper. The raper, he said, is a pitiable victim who gets caught up in the machinations of frustrated women.

Kurt Weis (*Rape and its Victims*, F. Enke Verlag, Stuttgart, 252pp. DM45) disagrees with his colleagues. He says that their views although widely held, are disastrous. They are the result of analysing rapers and looking at the problem from their point of view. The victim's point of view was insufficiently taken into account.

Weis points out that public opinion doesn't agree with what the experts think.

Some 69.2 percent of the people Weis interviewed in Saarbrücken think that a rapist will "try to cheapen his victim in order to justify the deed."

In May 1979, Weis and four women assistants manned a telephone at Saarbrücken University. The telephone was meant to give rape victims an opportunity anonymously to discuss their experiences.

The caller, from the city and the countryside, came from all walks of life.

Most of the victims did not report the rape to the police. They felt that this would have been pointless because of the widespread belief that a woman who fights back cannot be raped.

Kurt Weis lists a number of myths and stereotype ideas about rape. Among them: that the raper is usually either sick or a stranger to his victim; that such a thing cannot happen to a "decent woman"; that men cannot stand being slighted or rejected and that rape is their revenge.

This, the author says, explains why many rape victims develop guilt complexes although they know that they did nothing to provoke the assault.

The average time lapse between the rape and the phone call was 13 years, the shortest being one week and the longest 48 years.

Many women said that they had suffered from the event for years and, in some cases, decades.

Said one of them: "I have become inhibited for the rest of my life." She had been raped ten years earlier when she was 42.

"When I heard about the telephone on the radio this morning, I said to myself 'maybe this is your chance to talk about it with somebody'," said a woman who had been raped 35 years earlier when she was a girl of 15.

Almost none of the women experienced the rape as a sex act. For most of them—especially the many older women—the assault was a humiliation.

Only two of the 77 callers said that they had overcome the experience relatively soon and had suffered no lasting psychological damage.

One of them, who had been raped 40 years earlier, said: "I don't think about it anymore. I'm a grandmother now and I've forgotten about it."

But many of the callers suffer from permanent fears and depression. They have withdrawn.

Twelve of the women had never discussed their experience for fear of it "becoming public knowledge."

Although the police advise women not to put up too much resistance in order not to antagonise the rapist and make him even more violent, the same policemen blame women reporting a rape for not having put up enough of a fight.

Many women said that this was one of the reasons why they would not report another rape to the police. One said: "They used just about everything I said against me."

This vicious circle situation does not apply to rape only but it is particularly pronounced in this type of assault.

Fear of rape has limited the scope of movement for all women. As Weis sees it, this also serves as an "instrument of social control with which women are kept at home and under male domination."

Deutsches Allgemeines Sonntagsblatt
3 July. 1983

Death of the Trees

Ruskin Bond

No one really believes that trees are necessary.
They get in the way so much, don't they ?

THE peace and quiet of my abode in the Himalayan foothills disappeared for ever last winter. The powers-that-be decided to build another new road into the mountains, and the PWD saw fit to take it right past several cottages, including mine, about five feet from the windows.

The walnut tree was the first to go. A tree I had lived with for ten

years, watching it change with the seasons—looking forward to the new leaf-buds and then the broad green leaves of summer turning to spears of gold in September when the walnuts were ripe. I knew this tree better than the others. It was just below the window, where a buttress for the road replaced it.

Another tree I shall miss is the young deodar, the only one growing

in this particular stretch of the woods. Some years ago it was stunted from lack of sunlight. The oaks covered it with their shaggy branches, and vines clung to its trunk. So I cleared away some of the climbers and overhanging branches, and after that the deodar grew much faster. It was just coming into its own last summer. Then it was cut down in its prime.

Twenty oaks were felled—just in that small stretch near the cottage—and by the time the road, a “bypass”, reached its destination five miles away, about a thousand trees had been sacrificed: oaks, maples, deodars, rhododendrons, many others—all victims to the march of progress and civilisation.

Roads, no doubt, are necessary to mankind. But for every mile of road, a few hundred trees must go. If only someone would replace them! And having planted them, protect and nourish them until they are strong enough to withstand the onslaughts of cattle, goats and humans. A few years ago, a local service club planted a number of trees on the southern slopes of Mussoorie. There is no sign of them now, except a battered sign-board declaring the area a “Tree Plantation”.

The trouble is that no one really believes that trees are necessary. They get in the way so much, don't they? is the average person's attitude. According to my milkman, the only useful tree is one which can be picked clean for fodder. Now that the oaks have gone, he will have to look further afield for his fodder.

My grandson used to call the maples the butterfly trees because when the winged seeds fell, they would flutter like butterflies in the

breeze. No maples now. No bright red leaves to flame against the blue sky. No birds!

No longer will it be possible for me to open my window and watch the scarlet minivets flitting through the oaks; the long-tailed magpies gliding through the forest; or the barbet calling from his perch on top of the deodar.

Forest birds, all of them, they will have retreated with the trees. The only visitors will be the crows, who have learnt to live with, and off, humans, and who seem to multiply along with our roads, cities and people.

Well, of course there are other things to look forward to: trucks thundering past in the night; perhaps a tea and *pakora* shop around the corner; the grinding of gears, the music of motor horns; and more landslides during the monsoon rains. . .

Somehow, I don't think I will wait for the teashop to arrive. There must still be some quiet corner, on the next mountain perhaps, where the rocks have yet to be blasted away, and where I can find a place to stay. It's a negative attitude to take, no doubt. If I had any sense, I'd open my own teashop downstairs. To retreat is to be a loser. But the trees are losers, too; and when they fall, they do so with a certain dignity.

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Poverty

Tom Gay

fe

Thanks for your letter.
We returned last week
From cruising down the Channel
coast. This year,
We feel the pinch a bit: the price
of teak
Is shocking, but we need a
larger bar;
The crew, besides, have asked
for higher pay,
And Jane declares the stateroom's
in a mess,
Needing new curtains, cushions,
chairs, T.V....
How'll we scrape by, if things go
on like this?
Next month, we motor across
France to Spain.
We've had to plan, in case they
don't deliver
Our Jag in time, to take both
Minis; Jane
Will want her maid, of course,
and there's the driver . . .
Sorry about your orphans, starved
and ailing;
Life must be tough in India; still—
keep smiling!

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